

REMARKS

The examiner deemed that the restriction requirement imposed in the prior action was proper and therefore made the requirement final. Applicant again traverses and respectfully requests reconsideration.

The independent claims were amended to clarify that the bladder has an inner layer, and that this inner layer is not made of a rubber material. Support for this amendment can be found for example at page 5, claim 3, and throughout the application.

Claim 27 was rejected under §102(b) as being anticipated by Gill et al. (US 6,247,619). Claim 27 calls for the outer layer of the bladder to be a chemically resistant composite. By contrast, Gill et al. discloses an outer layer made of nylon fabric (col. 4, lines 54-55). The Gill et al. outer layer, being both nylon and a fabric, is not chemically resistant. As such, Claim 27 is not anticipated by Gill et al.

Claims 1-7 and 16-28 were rejected under §103 based on Gill et al. in view of Petriello (US 3,229,014), and further in view of Gardner et al. (US 6,032,831) for claims 5, 6, 20, and 21.

Basically, the examiner asserts that it would be obvious to use a fluorinated rubber composite of Petriello as the outer layer of Gill et al. "in order to prolong the usefulness of the container." Applicant disagrees.

Firstly, Petriello discloses that the rubber layer is the inside layer. The flexible Petriello container, which is used for fuel or propellant (see column 1), is formed by applying reinforced plastic material (e.g., rubber) to a dissolvable form, applying a non-reinforced plastic material to the reinforced plastic material, and then dissolving the form to create the flexible container with the rubber material as the inside layer. This procedure is disclosed, for example, in Petriello's claim 1.

It should be noted that because Petriello seeks to contain fuel or propellant, Petriello desires that the inner layer is chemically-inert (see column 1, lines 16-18). Stated differently, a chemically-inert inner layer is crucial to the Petriello invention.

The examiner therefore errs in asserting that Petriello discloses an outer layer of rubber.

Furthermore, assuming arguendo that the combination of Gill et al. with Petriello is proper, one would use Petriello's chemically-inert material as the inner layer of Gill et al. to adapt the Gill et al. container for storing fuels and propellants. Importantly, this configuration is the opposite of that which is claimed by applicant.

Additionally, with respect to the allegation that the references should be combined, there is no statement in either reference that use of a fluorinated rubber prolongs usefulness. The examiner is respectfully requested to point out where in the references such disclosure exists.

Indeed, there is in fact no reason to combine Petriello with Gill et al. Petriello concerns containers for fuels and propellants. See column 1. By contrast, Gill et al. pertains to a bag for drinking fluids. Thus, there is simply no reason to combine these references.

The examiner alleged that the motivation to combine as an omnibus statement of "prolong[ing] the usefulness of the container," which statement is unsupported by the references. Likewise, owing to its vagueness, this "reason" is no reason at all.

The rejection of claims 5, 6, 20, and 21 based on Gill et al. in view of Petriello and further in view of Gardner et al. is equally flawed and should be withdrawn.

It is further pointed out that claims 3 and 18 call for the inner layer to be made of polyurethane, which is clearly not taught or suggested by the cited references.

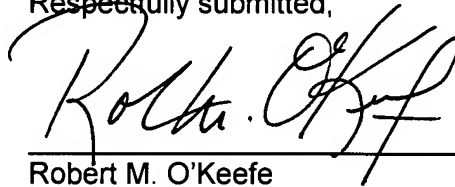
In light of these differences between the references and the claims, and the erroneous combination of references, the rejections should be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that the claims are in condition for allowance. Accordingly, favorable reconsideration and Notice of Allowance are courteously solicited.

Should any fees under 37 CRF 1.16-1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct such fees from Deposit Account No. 10-1205. The examiner is invited to contact the undersigned at the phone number indicated below with any questions or comments, or to otherwise facilitate expeditious and compact prosecution of the application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert M. O'Keefe", written over a horizontal line.

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